

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54598 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- JANTA BAZAR District- Saran

PANKAJ TIWARY, Son of Akhilesh Tiwari, Resident of Village - Harpur
Kothi, P.S.- Janta Bazar, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 22.07.2019 in connection with Janta Bazar P.S. Case No.09 of 2019 registered for the offence under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on account of enmity and only because he is Mukhiya of the Panchayat concerned. It is further submitted that a truck laden with liquor was coming from Haryana was seized at Bramasthan and on the statement of the truck driver, the petitioner has been implicated in this case. It is further submitted that the antecedents, which have been recorded are not of similar



nature and are clearly stated in paragraph 3 of the bail application and in all such cases, the petitioner has already been granted bail.

Considering the aforementioned facts and circumstances and that the alleged recovery was not from the conscious possession, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned 9th Additional District Judge, Saran at Chapra, in connection with Janta Bazar P.S. Case No.09 of 2019, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--

